

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

DEVINCHE ALBRITTON,

Plaintiff,

v.

ACTION NO. 2:18cv689

S. CARPENTER, *et al.*,

Defendants.

ORDER

Plaintiff, a Virginia inmate, filed this *pro se* action pursuant to 42 U.S.C. § 1983 to redress alleged violations of his constitutional rights. This matter is before the Court following receipt of Plaintiff's Second Amended Complaint, ECF No. 34.¹

A. Defendants Named in this Action

In his Second Amended Complaint, Plaintiff names the following Defendants: (i) Lt. M. Carpenter; (ii) A. Critton; (iii) W. Rollins; (iv) Ms. White; (v) Lt. Liptrot; (vi) U/M Adams; (vii) U/M Turner; (viii) Sgt. Coleman; (ix) Sgt. Parris; (x) Captain Gill; (xi) Ms. Poarch; (xii) W. Brown; (xiii) T.M. Smith; (xiv) M. Vandermark; (xv) Lt. Branch; (xvi) Beth Cabell; (xvii) T. Darden; (xviii) U/M McDonald; and (xix) Mr. Foster. Plaintiff had previously also named Officer Liggins, Ms. Wallace,

¹ The Court previously stayed this action and directed the Clerk to remove this action from the Court's active docket pending receipt of Plaintiff's Second Amended Complaint. Order at 4, ECF No. 31. Now that the Court has received Plaintiff's Second Amended Complaint, the Clerk is **DIRECTED** to reopen this matter and return it to the Court's active docket.

and Ms. Taylor as Defendants; however, these Defendants are not named as Defendants in the operative Second Amended Complaint. *See* Second Am. Compl. at 1. Accordingly, Officer Liggins, Ms. Wallace, and Ms. Taylor, and Plaintiff's claims against them, are **DISMISSED without prejudice**.²

B. Service on Remaining Defendants

Service shall be made upon the remaining Defendants in accordance with the Court's formal electronic service agreement with the Attorney General's Office for the Commonwealth of Virginia. Specifically, pursuant to the formal electronic service agreement, upon entry of this Order in the Court's Case Management and Electronic Case Filing System, the Attorney General's Office will receive a Notice of Electronic Filing through the Court's Case Management and Electronic Case Filing System. The Notice of Electronic Filing will include (i) **this Order** and (ii) **a dated waiver of service of process**.³ Further, as a courtesy, the Clerk is **DIRECTED** to transmit Plaintiff's Second Amended Complaint, ECF No. 34, to the Attorney General's Office by regenerating the Notice of Electronic Filing for this document in the Court's Case Management and Electronic Case Filing System.

² The Court also notes that Plaintiff previously named "S. Carpenter," "Beth Cable," and "Lt. Parris" as Defendants. *See* Compl. at 3–4, ECF No. 1; Am. Compl. at 1, ECF No. 20. In the operative Second Amended Complaint, Plaintiff now refers to these Defendants as "Lt. M. Carpenter," "Beth Cabell," and "Sgt. Parris," respectively. Accordingly, the Clerk is **DIRECTED** to terminate "S. Carpenter," "Beth Cable," and "Lt. Parris" as Defendants, and to add "Sgt. Parris" as a Defendant on the docket of this matter.

³ The Court notes that if, pursuant to the formal electronic service agreement, the Attorney General's Office determines that it cannot accept service for a Defendant, any Notice of Declination of Service and other related document may be electronically filed, rather than submitted via mail, by the Attorney General's Office.

In addition to the instructions set forth above, the Clerk is **DIRECTED** to please send a copy of this Order to Plaintiff DeVinche Albritton.

IT IS SO ORDERED.

Norfolk, Virginia
December 8, 2022

/s/
Arenda L. Wright Allen
United States District Judge